

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

VINCENT CASILLAN,

Plaintiff,

v.

GLORIA HERNANDEZ, d/b/a
RIVERA'S AUTO SALES,

Defendant.

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1-16-CV-040 RP

ORDER

On January 20, 2016, Plaintiff filed this action naming as sole defendant Gloria Hernandez, d/b/a Rivera's Auto Sales. The return of service indicates defendant was served on or about January 27, 2016. To date, however, defendant has not made an appearance in this action.

Under the Local Rules, if a defendant is in default, the court may require the plaintiff to move for entry of a default and a default judgment. If the plaintiff fails to do so within the prescribed time, the court may dismiss the action, without prejudice, as to that defendant. Local Court Rules Rule CV-55.

Accordingly, Plaintiff is hereby ORDERED to move for entry of default and a default judgment against defendant **on or before March 14, 2016**. Plaintiff is also admonished that failure to do so will result in dismissal of this action. See FED. R. CIV. P. 41(b) (action may be dismissed

for want of prosecution or failure to comply with court order); *Larson v. Scott*, 157 F.3d 1030, 1031 (5th Cir. 1998) (district court has authority to dismiss case for want of prosecution or failure to comply with court order)..

SIGNED on February 29, 2016.



ROBERT L. PITMAN
UNITED STATES DISTRICT JUDGE